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Attorneys for Defendant
T-MOBILE USA, INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

MILTON CARDOZA, on Behalf of Himself
and Others Similarly Situated,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

Case No.: CV08-5120 SC

STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME TO
RESPOND TO COMPLAINT

WHEREAS, Plaintiff filed his complaint in the above-titled action on November 10, 2008;

WHEREAS, Plaintiff served Defendant T-Mobile USA, Inc. ("T-Mobile") with the
complaint on December 2, 2008;

WHEREAS, T-Mobile currently has until December 22, 2008 to respond to the complaint;

WHEREAS, because of the upcoming holidays, defense counsel need additional time to
prepare responsive papers and plaintiffs' counsel have agreed to afford defense counsel such
additional time;

WHEREAS, this is T-Mobile's first request for an extension of time to respond to the
complaint filed in this matter; and

WHEREAS, the requested extension will not alter the date of any event or deadline already
fixed by Court order;

1 IT IS HEREBY STIPULATED AND AGREED among the parties, through their respective
2 counsel of record, pursuant to Local Rule 6-1(a), that the time for T-Mobile to move to dismiss,
3 answer, or otherwise respond to the complaint filed in this matter be extended to January 16, 2009.
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5 Dated: December 19, 2008

DAVIS POLK & WARDWELL

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7 By: /s/ Christopher B. Hockett
8 Christopher B. Hockett

9 Attorneys for Defendant T-Mobile

10
11 Dated: December 18, 2008

LAW OFFICE OF PETER FREDMAN

12
13 By: /s/ Peter B. Fredman
14 Peter B. Fredman

15 Attorneys for Plaintiff

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18 IT IS SO ORDERED.

19 Dated December 19, 2008

